UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,769	03/20/2001	Michael Scheetz	10006053-1	8879

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EXAMINER
ALI, SYED J

ART UNIT	PAPER NUMBER
2127	

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/812,769	SCHEETZ ET AL.
	Examiner	Art Unit	
	Syed J Ali	2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 November 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the amendment filed November 1, 2004.

Claims 1-19 are presented for examination.

2.   The text of those sections of Title 35, U.S. code not included in this office action

can be found in a prior office action.

Claim Objections

3.   **Claims 3 and 18 are objected to under 37 CFR 1.75(c), as being of improper**

dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claims, or amend the claims to place the claims in

proper dependent form, or rewrite the claims in independent form.

4.   As per claim 3, performing a "list call" does not adequately limit the step of the

parent claim that obtains a "bound uniform resource locator list". The "list call"

performed in claim 3 is essentially a rewording of "obtaining a bound...list." Claim 18 is

objected to for similar reasons.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

6.   **Claims 3-5 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

7.   The following terms lack antecedent basis:

a.   In line 1 of claims 3 and 5, "the monitoring step".

b.   In lines 1-2 of claim 11, "the plurality of management processes".

8.   As per claim 4, it depends upon indefinite claim 3 and is rejected for at least the same reasons as presented for its parent claim, as it fails to present any limitations that resolve the deficiencies of the parent claim.

Claim Rejections - 35 USC § 103

9.   **Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (USPN 6,282,581) (hereinafter Moore).**

10.   As per claim 1, Moore teaches the invention as claimed, including a method of error recovery of a remote method invocation (RMI) process, the method comprising:

binding a parent process with an RMI process (col. 8 lines 21-30); and

calling an object associated with the parent process (col. 18 lines 3-10), the object performing the steps of:

determining if the RMI process is bound with the parent process (col. 18 lines 11-20), the determining step including:

           obtaining a bound list from the RMI process (col. 18 lines 36-55);

and

           determining whether the parent process's name is in the bound list

of the RMI process (col. 18 lines 56-62); and

           rebinding the parent process with an active RMI process when the thread

determines that its parent process is not bound with an active RMI process (col.

18 lines 20-22).

11.   It is hereby noted that Moore does not specifically teach that the object

determining if the RMI process is bound is a thread. The remote method invocation

method of Moore is intended to support multiple communication protocols, some of

which may not permit threading (col. 7 line 58 - col. 8 line 3). However, Moore does

indicate that a thread dispatch policy can be utilized in multithreaded systems to

implement the remote procedure calls (col. 27 lines 41-49; col. 28 lines 9-24). Thus, it

would have been obvious to one of ordinary skill in the art to dispatch a second

concurrent thread to perform the monitoring for the purpose of allowing other remote

method invocations to occur simultaneously to the determination step (col. 36 lines 1-4).

It is also noted that the list of bound addresses is not specifically disclosed as a uniform

resource locator list. Moore discloses the list of bound addresses merely as a set of

network addresses (col. 18 lines 29-35). As remote method invocation is primarily

directed to allowing processes to make remote calls across a network (col. 7 lines 15-30),

any manner of naming network addresses such that they are uniquely identified would be

suitable. The discussion presented herein relates to subsequent claims that include

language relating to "threads" and "uniform resource locator lists" as well.

12.   As per claim 2, Moore teaches the invention as claimed, including the method of

claim 1, wherein the binding step comprises providing a network address of the parent

process to the active RMI process (col. 18 lines 11-18).

13.   As per claim 3, Moore teaches the invention as claimed, including the method of

claim 1, wherein the monitoring step comprises performing a list call to an active RMI

process to determine whether the parent process is bound to an active RMI process (col.

18 lines 36-55).

14.   As per claim 4, Moore teaches the invention as claimed, including the method of

claim 3, wherein the rebinding step comprises performing a rebind call to an active RMI

process (col. 18 lines 20-22).

15.   As per claim 5, Moore teaches the invention as claimed, including the method of

claim 1, wherein the monitoring step comprises calling an active RMI process to

determine whether the parent process network address is registered with an active RMI

process (col. 18 lines 56-62).

16.   As per claim 6, Moore teaches the invention as claimed, including the method of

claim 1, comprising:

        binding a second parent process with a RMI process (col. 8 lines 21-30); and

calling a second object associated with the second parent process (col. 18 lines 3-10), the second object performing the steps of:

monitoring the status of RMI processes (col. 18 lines 36-62); and

rebinding the second parent process with an active RMI process when the second thread determines that the second parent process is not bound with an active RMI process (col. 18 lines 20-22).

17.   As per claim 7, Moore teaches the invention as claimed, including the method of claim 1, wherein the step of binding a parent process comprises binding one of an RMI daemon, a distributed task facility daemon, a log manager daemon, or a domain manager daemon, with an active RMI daemon (col. 7 line 50 - col. 8 line 35).

18.   As per claim 8, Moore teaches the invention as claimed, including the method of claim 1, comprising terminating the thread when the parent process is terminated (col. 28 lines 9-17).

19.   As per claim 9, Moore teaches the invention as claimed, including a network system, comprising:

a plurality of remote nodes, at least one of the remote nodes running a remote method invocation (RMI) process (col. 7 lines 15-30); and

a management server for managing the remote nodes, the management server

including at least one processor for running an RMI process (col. 7 lines 28-38) and at

least one management process (col. 7 lines 40-49), each at least one management process

being associated with an object capable of performing the steps of claim 1 (col. 18 lines

3-62).

20.   As per claim 10, Moore teaches the invention as claimed, including the network

system of claim 9, wherein the at least one management process comprises a plurality of

management processes (col. 28 lines 9-17).

21.   As per claim 11, Moore teaches the invention as claimed, including the network

system of claim 9, wherein the plurality of management processes comprise a distributed

task facility process (col. 7 lines 15-30), a domain manager process (col. 16 lines 49-67),

and a log manager process (col. 7 lines 15-30).

22.   As per claim 12, Moore teaches the invention as claimed, including the network

system of claim 9, wherein each of the remote nodes runs a service control manager agent

process for performing server management tasks (col. 7 lines 15-30).

23.   As per claim 13, Moore teaches the invention as claimed, including the network

system of claim 9, wherein the management server comprises a secondary storage device,

the secondary storage device comprising a data repository, a depot, and a web server (col.

7 lines 36-38).

24.   As per claim 14, Moore teaches the invention as claimed, including the network

system of claim 9, wherein the plurality of remote nodes are arranged into at least one

node group, the network system comprising a service control manager for managing the

at least one node group (col. 7 lines 15-30).

25.   As per claims 15-19, Moore teaches the invention as claimed, including a method

of error recovery of a remote method invocation (RMI) process, the method comprising:

    a)   performing a rebind call to an RMI process to provide a network address

    and an object interface of a parent process to the RMI process (col. 8 lines 21-30);

    and

    b)   performing an initialization call to an object associated with the parent

    process, the initialization call initiating an object to perform the steps of claims 1,

    3-4, and 7-8 (col. 18 lines 3-62; col. 7 line 50 - col. 8 line 35col. 28 lines 9-17).

Response to Arguments

26.   **Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new grounds of rejection.**

Conclusion

27.   Applicant's amendment necessitated the new grounds of rejection presented in this Office action.   Accordingly, **THIS ACTION IS MADE FINAL**.   See MPEP § 706.07(a).   Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed J Ali whose telephone number is (571) 272-3769. The examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.   Status information for

published applications may be obtained from either Private PAIR or Public PAIR.   Status

information for unpublished applications is available through Private PAIR only.   For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Syed Ali
February 15, 2005

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